

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARK METZLER, individually and on behalf of :
all others similarly situated, :
Plaintiff, :
: :
-against- : 21-CV-9798 (VEC)
: :
: :
PURE ENERGY USA LLC, :
: :
: :
Defendant. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS an initial pretrial conference was held on January 21, 2022 at 2:00 p.m.;

WHEREAS Defendant has requested that discovery be stayed pending its forthcoming motion to dismiss;

WHEREAS on January 21, 2022, the Court ordered that Plaintiff must file his response, if any, to Defendant's request by January 28, 2022, *see* Dkt. 18; and

WHEREAS to date, Plaintiff has not responded to Defendant's request;

IT IS HEREBY ORDERED that, in light of Plaintiff's failure to respond, the Court presumes that he no longer objects; therefore, discovery is STAYED pending resolution of Defendant's motion to dismiss.

SO ORDERED.

Date: February 3, 2022
New York, New York



VALERIE CAPRONI
United States District Judge